

ORDINANCE NO. 259

**AN ORDINANCE OF THE CITY OF HAWLEY, MINNESOTA, ANNEXING
LAND LOCATED IN HAWLEY TOWNSHIP, CLAY COUNTY, MINNESOTA,
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described as

The East 77.56 feet of Lot 7, and all of Lot 8, Gloryland Subdivision, Clay County, Minnesota,

be annexed to the City of Hawley, Minnesota, was duly presented to the Council of the City of Hawley on the 6th day of May, 2013; and

WHEREAS, said property is unincorporated and abuts the City of Hawley on its westerly boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently vacant and unimproved and annexation is requested to facilitate the extension of city services for the commercial development of the property; and

WHEREAS, the City of Hawley held a public hearing pursuant to Minnesota Statutes §414.033 Subd. 2b, on June 20, 2013, following thirty (30) days written notice by certified mail to the Town of Hawley and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes §414.033 Subd. 13 relating to the utility service and cost of such utility service has been discussed with the property owners who nonetheless have requested annexation of the above described property. The property owners specifically waived any notice requirements regarding estimated differences in utility costs.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAWLEY HEREBY
ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that development of a Dollar General Store is being proposed for said property, the construction of which requires or will need city services, including public sewer facilities.

2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute §414.0325.

3. The corporate limits of the City of Hawley, Minnesota, are hereby extended to include the following described property, said land abutting the City of Hawley, and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to-wit:

The East 77.56 feet of Lot 7, and all of Lot 8, Gloryland Subdivision, Clay County, Minnesota. (See attached ALTA Land Title Survey 3-27-13)

The above described property consists of a total of 81,608 square feet, more or less (1.8735 acres). Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero (0).

5. The City of Hawley, pursuant to Minnesota Statutes §414.036, the parties agree that in lieu of taxes payable, the City of Hawley shall be responsible for all costs of maintenance and repair of the blacktop roadway constructed as a joint town/city road subject to the provisions of Minnesota Statutes §164.14. The Township of Hawley shall be responsible for mowing and weed control of the joint roadway subject to the provisions of Minnesota Statutes §164.14.

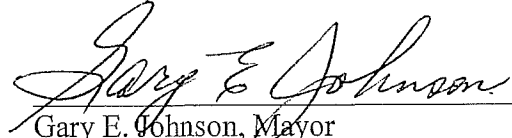
6. That pursuant to Minnesota Statutes §414.036 there are no special assessments or debt incurred by the Town on the subject property for which reimbursement is required.

7. That the City Clerk of the City of Hawley is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Clay County Auditor, and the Hawley Township Clerk.

8. The property herein described shall be zoned C2 Highway Commercial upon annexation.


9. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Hawley, Minnesota, this 20th day of June, 2013.

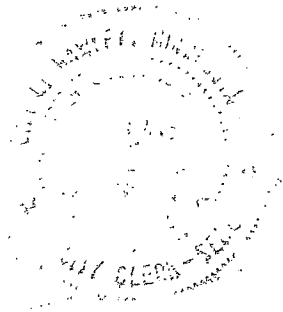


Gary E. Johnson, Mayor

ATTEST:

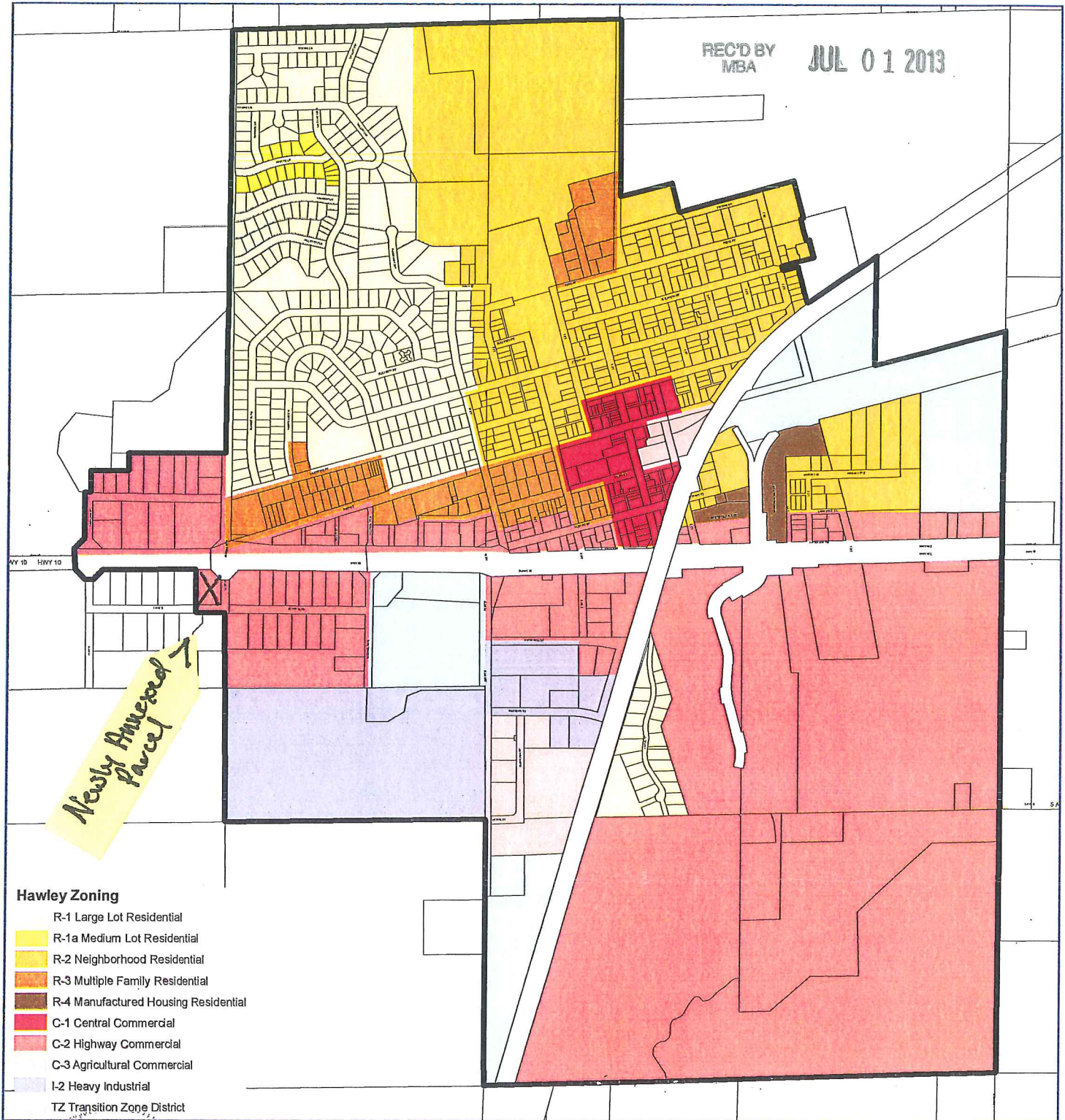


Lisa Jetvig, City Clerk



Official Zoning Map, City of Hawley, Minnesota

REC'D BY
MBA JUL 01 2013



Hawley Zoning

- R-1 Large Lot Residential
- R-1a Medium Lot Residential
- R-2 Neighborhood Residential
- R-3 Multiple Family Residential
- R-4 Manufactured Housing Residential
- C-1 Central Commercial
- C-2 Highway Commercial
- C-3 Agricultural Commercial
- I-2 Heavy Industrial
- TZ Transition Zone District

City of Hawley, Minnesota

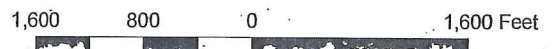
This is the official zoning map for the City of Hawley, Minnesota. The ordinance was adopted by the City of Hawley Council on April 11, 2002, and this official map was revised following the June 20, 2013 Planning Commission Public Hearing, and June 20, 2013 City Council approval.

Mayor *Greg E. Johnson*
Clerk Treasurer *Lisa Jeltvig*



Clay County GIS

This map is for reference purposes only. Clay County, MN is not responsible for any inaccuracies herein contained. This map is in the public domain and may be copied without permission. Citation of source is appreciated.



Date Printed: Friday, June 14, 2013



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JUL 01 2013

